

CALIFORNIA ACUPUNCTURE BOARD

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State of California
Department of Consumer Affairs
Arnold Schwarzenegger, Governor



April 18, 2005

Senator Liz Figueroa
Chair, Business, Professions and
Economic Development
State Capitol, Room 2053
Sacramento, CA 95814

RE: SB 233 (Figueroa) - "OPPOSE" UNLESS AMENDED

Dear Senator Figueroa:

The California Acupuncture Board submits this letter in OPPOSITION to SB 233 (Figueroa) and its current proposal to sunset the Acupuncture Board.

The Acupuncture Board should continue in its current structure to provide consumer protection through the licensure and regulation of the profession. Concluding extensive reviews and audits, the Joint Committee on Boards, Commissions and Consumer Protection and Department of Consumer Affairs supported the continuance of the Board through sunrise legislation in 1998 and again in 2002. The Little Hoover Commission, in their September 2004 report, made suggestions on issues about the practice and regulation of acupuncture, but did not recommend any structural changes to the Board or its status as a Board. The Governor's California Performance Review also recommended retaining the Board in its current structure, but moving it and all medical health professions under the Department of Health Services. In addition, during the Little Hoover Commission's public hearing on the Governor's Reorganization Plan, the Commission made it quite clear it had great reservations as to whether or not the DCA is equipped to take on the responsibilities of the Board. The Governor thereafter withdrew the Reorganization Plan, concluding the proposal would benefit from further review. Moving the Board under a bureau status would deprive the consumer of their right to public participation.

The Board has continued to provide consumer protection by strengthening the enforcement program, increasing the educational requirements, clarifying examination requirements and streamlining licensing requirements. This has been accomplished while working with a group of diverse stakeholders who don't agree, have different visions and interpretations for the scope of practice, educational standards and the concept of medicine, involve different ethnicities, cultural views and values, including stakeholders in this state, and nationally, who have varying goals for the profession.

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The Board has continually acted in good faith, providing enormous amounts of information responding to the issues raised by the Joint Committee and will do so in the future. The Board believes that its sustained responses to all issues and questions are sufficient to justify the sunrising of the Board.

The Board urges your **no vote on SB 233, unless amended to sunrise** the California Acupuncture Board in it current structure.

Sincerely,

Marilyn Nielsen
Executive Officer

Ccs: Governor Arnold Schwarzenegger
Members of the Senate Business, Professions & Economic Development Committee
Department of Consumer Affairs

Enclosures: CAB's April 18, 2005 Response to Joint Committee's Final Recommendations
CAB's January 3, 2005 Response to Joint Committee's Background Paper
CAB's October 8, 2004 Response to LHC's September 2004 Report